

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE QUEZADA,

Plaintiff,

-v-

MAYWEATHER PROMOTIONS LLC,

Defendant.

21 Civ. 4677 (PAE) (OTW)

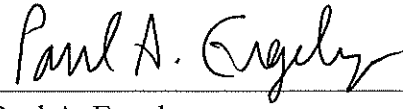
ORDER

PAUL A. ENGELMAYER, District Judge:

On May 25, 2021, plaintiff Jose Quezada (“Quezada”) filed this putative class action under the Americans with Disabilities Act (“ADA”). Dkt. 1. On May 26, 2021, the case was referred to the Hon. Ona T. Wang. Dkt. 5. Proof of service on Defendant Mayweather Promotions LLC (“Mayweather”) was filed on June 3, 2021, making Mayweather’s deadline to answer or otherwise respond June 22, 2021. *See* Dkt. 6. An initial pretrial conference was scheduled for July 13, 2021, Dkt. 7, but adjourned *sine die* on July 8, 2021, when Mayweather failed to appear, Dkt. 9. On July 14, 2021, Quezada obtained a certificate of default against Mayweather from the Clerk of Court. Dkt. 13. On August 18, 2021, the Court issued an order directing Quezada to show cause by September 11, 2021, why the above-captioned action should not be dismissed for failure to prosecute, pursuant to Rule 41 of the Federal Rules of Civil Procedure. Dkt. 14. To this date, Quezada has not submitted a timely and proper motion for default judgment.

Accordingly, it is hereby ordered that the instant action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer", written over a horizontal line.

Paul A. Engelmayer
United States District Judge

Dated: September 24, 2021
New York, New York